

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**JEFFREY and KIMBERLY BUTTS, *et al.***

**PLAINTIFFS**

**VS.**

**CIVIL ACTION NO.: 4:18CV0001-NBB-JMV**

**ROSEMARY AULTMAN, in her  
official capacity as Chairman of the  
State Board of Education, ET AL.**

**DEFENDANTS**

**ORDER**

State Defendants Rosemary Aultman, in her official capacity as Chairman of the State Board of Education, Dr. Carey M. Wright, in her official capacity as Superintendent of the Mississippi Department of Education, Jason Dean, Buddy Bailey, Kami Bumgarner, Karen Elam, Johnny Franklin, William Harold Jones, John Kelly, and Frank McClelland, all in their official capacities a Members of the Mississippi State Board of Education, have moved to dismiss all of the claims asserted against them by the Montgomery County School District in the above-styled case based on a lack of subject matter jurisdiction and failure to state a claim. Dkt. Nos. [87, 88].

Under Rule 16(b)(3)(B) of the Uniform Local Rules of the United States District Courts for the Northern and the Southern Districts of Mississippi, “Filing a motion to compel arbitration, or a motion asserting an immunity defense or jurisdictional defense stays the attorney conference and disclosure requirements and all discovery, pending the court’s ruling on the motion, including any appeal.”

If any party desires to take jurisdictional-related discovery, they must file a motion for leave to do so within seven (7) days hereof, setting forth the type and scope of such discovery and an estimated time frame for constructing it. If any party objects to the motion for discovery, it shall file its objection

within four (4) days following service of the motion for jurisdictional-related discovery. L.U.Civ.R. 16(b)(3)(B).

ACCORDINGLY, IT IS ORDERED that conferences, disclosure requirements, discovery, and proceedings in this case should be stayed. Defendants' counsel shall submit to the undersigned a proposed order lifting the stay, within ten days of notification of the court's ruling on the underlying dispositive motion.

This, the 28<sup>th</sup> day of June, 2018.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE